

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Daniel C. Posner (Bar No. 232009)

2 danposner@quinnemanuel.com

Justin C. Griffin (Bar No. 234675)

3 justingriffin@quinnemanuel.com

Laurenne M. Babayan (Bar No. 348075)

4 laurennebabayan@quinnemanuel.com

865 South Figueroa Street, 10th Floor

5 Los Angeles, California 90017-2543

Telephone: (213) 443-3000

6 Facsimile: (213) 443-3100

7 *Attorneys for Defendant Twitter, Inc.*

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BACKGRID USA, INC., a California
corporation,

Plaintiff,

vs.

TWITTER, INC., a Delaware
corporation and DOES 1-10, inclusive,

Defendants.

Case No. CV 22-9462-DMG (ADSx)

**STIPULATION TO EXTEND
DEFENDANT'S DEADLINE TO
RESPOND TO PLAINTIFF'S FIRST
AMENDED COMPLAINT**

The Honorable Dolly M. Gee

Courtroom 8C

1 **STIPULATION**

2 Plaintiff BackGrid USA, Inc. and Defendant Twitter, Inc. (the “Parties”), by
3 and through their undersigned counsel, hereby stipulate and agree as follows:

4 WHEREAS, Plaintiff filed the initial Complaint in this matter on December
5 30, 2022 (Dkt. 1);

6 WHEREAS, on January 26, 2023, the Parties filed a Joint Stipulation to
7 Extend Time to Respond to Initial Complaint pursuant to Rule 8-3 of the Local
8 Rules, which extended Defendant’s response deadline to February 27, 2023 (Dkt.
9 11);

10 WHEREAS, on February 23, 2023, the Parties filed a Joint Stipulation
11 Regarding First Amended Complaint and Deadline to Respond to Same, in which
12 Plaintiff agreed to file a First Amended Complaint by March 13, 2023, and
13 Defendant agreed to respond to it by April 14, 2023 (Dkt. 21);

14 WHEREAS, on February 28, 2023, the Court approved the Parties’
15 Stipulation Regarding First Amended Complaint and Deadline to Respond to Same
16 (Dkt. 22);

17 WHEREAS, on March 13, 2023, Plaintiff filed its First Amended Complaint
18 (“FAC”) (Dkt. 23);

19 WHEREAS, Daniel Posner, lead counsel for Defendant, has been co-lead
20 counsel in a trial in the Northern District of California since March 27, 2023, which
21 ended on April 3, 2023;

22 WHEREAS, Joanna Ardalan and David Quinto, lead counsel for Plaintiff,
23 have a trial scheduled for May 15 in Los Angeles Superior Court, which is expected
24 to last two weeks, but may go longer;

25 WHEREAS, on April 3, 2023, Defendant has requested to initiate a meet and
26 confer conference with Plaintiff regarding a potential motion to dismiss the FAC;

27 WHEREAS, in consideration of the Parties’ counsel’s availability relating to
28 their other work commitments and personal commitments in the beginning of

1 summer, the Parties desire to set a schedule for meeting and conferring on a
2 potential motion to dismiss the FAC, and for briefing and the hearing on any such
3 motion, that would accommodate the Parties' schedules;

4 ACCORDINGLY, IT IS HEREBY STIPULATED by the Parties, by and
5 through their respective counsel, and subject to the Court's approval, that the
6 following deadlines shall apply to Defendant's response to the FAC:

- 7 1. April 21, 2023: Deadline to complete meet and confer pursuant to Rule 7-
8 3 on any Rule 12 motion Defendant may file in response to FAC;
- 9 2. May 12, 2023: Deadline for Defendant to respond to FAC;
- 10 3. June 16, 2023: Deadline for Plaintiff to oppose any Rule 12 motion filed
11 by Defendant in response to FAC;
- 12 4. June 30, 2023: Deadline for Defendant to submit reply in support of any
13 Rule 12 motion filed by Defendant in response to FAC; and
- 14 5. July 21, 2023: Hearing on any Rule 12 motion filed by Defendant in
15 response to the FAC.

16
17 DATED: April 4, 2023

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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20 By /s/ Daniel C. Posner

21 Daniel C. Posner

22 Justin C. Griffin

23 Laureenne M. Babayan

24 Attorneys for Defendant Twitter, Inc.
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ONE LLP

By /s/ Jo Ardalan
Jo Ardalan
Attorney for Plaintiff BackGrid USA, Inc.

ATTESTATION STATEMENT

I, Daniel C. Posner, the filer of this Joint Stipulation, attest pursuant to Rule 5-4.3.4(a)(2) of the Local Rules for the United States District Court for the Central District of California that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

DATED: April 4, 2023

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ Daniel C. Posner

Daniel C. Posner
Justin C. Griffin
Laurenne M. Babayan
Attorneys for Defendant Twitter, Inc.